

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JAMES SHEPHERD ET AL.,

Plaintiffs,

v.

No. 4:23-CV-00826-P

MICHAEL S. REGAN ET AL.,

Defendants.

ORDER

Before the Court is Plaintiffs' First Amended Complaint (ECF No. 14) and Plaintiff's Original Motion for Preliminary Injunction appended to Plaintiffs' Original Complaint (ECF No. 1).

In Plaintiffs First Amended Complaint, substantive changes were made that make the preliminary injunction briefing—particularly Defendants' Response (ECF No. 9)—less than useful to the Court.

Further, in their First Amended Complaint, the words and substance of Plaintiffs' Original Motion for a Preliminary Injunction are significantly altered. Indeed, 1,777 changes were made to the First Amended Complaint altogether including the addition of a new Plaintiff.

As a result, the Court finds that the briefing currently before the court is inadequate and moot. Because the First Amended Complaint does not refer to or incorporate prior pleadings and attempts to rectify issues identified in the First Motion for Preliminary Injunction, the First Motion for a Preliminary Injunction (ECF No. 1) is **DENIED as moot**. The Court thus takes up the Amended Preliminary Injunction (ECF No. 14) and **ORDERS** the following expedited briefing schedule:

- **Defendants' Response: on or before August 31, 2023.**
- **Plaintiffs' Reply: on or before September 5, 2023.**

It is further **ORDERED** that the preliminary-injunction hearing scheduled for August 30, 2023, is hereby **CANCELED**. If needed, a new date for the hearing will be set by the Court after the motion is ripe.

SO ORDERED on this **August 28 2023**.



MARK T. PITTMAN
UNITED STATES DISTRICT JUDGE